IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1124 of 1984

Bombay Dock Labour Board .. Plaintiff

versus

M/s.R.Tulsidas & Co. & Anr. .. Defendants

...

Mr.Mohit i/b Mulla & Mulla for plaintiff.

Mr.M.A. Krave i/b Hiralal T. & Co. for the defendant no.1.

Mr.Tushar Bhavsar i/b Crawford Bailey & Co. for the defendant no.2

CORAM : D.G. KARNIK,J.

DATED : 21st July 2005.

P.C.:

1. The defendants have not filed written statement for a period of more than 20 years. The suit is for recovery of money. In the circumstances, the suit of the plaintiff is decreed against defendant no.1 under Order 8 Rule 10 of the Code of Civil Procedure in terms of prayer clauses a(i) and

a(ii) with the modification that the interest would be payable at 6% p.a. on the principal sum from the date of the suit till payment and all costs of the suit. No decree is passed against defendant no.2 who is only a formal party.

2. Suit disposed of.

D.G. KARNIK, J